

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

United States of America, ex rel. Frank Kurnik,	)	C/A: 3:11-1464-JFA
et al.,	)	
	)	
Plaintiffs,	)	ORDER
v.	)	
	)	
Omnicare, Inc.; Pharmerica Corp.; and Kindred	)	
Healthcare, Inc.,	)	
	)	
Defendants.	)	
	)	

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Supplementing this court’s order of November 26, 2013 (ECF No. 55), the court declines to seal the activity in this case prior to the Government’s partial intervention. The court finds persuasive the analysis provided in *United States v. King Pharmaceuticals, Inc.*, 806 F.Supp.2d 833 (D.Md. 2011).

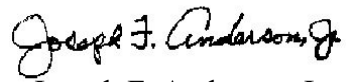
Therefore, the entire docket in this action and all documents that have been filed in it shall be unsealed, provided, however, that this ruling is STAYED for thirty days following the entry of this order. The Clerk is directed NOT TO UNSEAL any other documents in this case until further order of this court. During the thirty day stay, any interested party may note a proper appeal of this Order, or may file a motion for reconsideration of this Order.

This court’s order of November 26, 2013 (ECF No. 55) provided “the relator shall serve its complaint upon Defendants PharMerica, Corp. and Kindred Healthcare, Inc.” No summonses have been issued in this case and the court is unaware of any efforts made by the relator to serve the complaint on those defendants. This court should have been more explicit in its desire to have the complaint served upon those defendants as soon as possible. Therefore, the court orders the relator to serve the complaint upon Defendants Pharmerica, Corp. and Kindred Healthcare Inc. by February 9, 2014: the same date the Government is to serve the complaint, and any amended complaint, upon

Defendant Omnicare, Inc., or file a notice of dismissal of claims against Defendant Omnicare, Inc.

IT IS SO ORDERED.

January 23, 2014  
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.  
United States District Judge